

## **II. Remarks**

Reconsideration and re-examination of this application in view of the above amendments and the following remarks is herein respectfully requested.

After entering this amendment, claims 11 and 14-21 remain pending, with claim 20 being withdrawn and claim 21 being newly added and dependent on claim 11.

### *Claim Rejections - 35 U.S.C. § 112*

Claims 11 and 14-19 were rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which the applicant regards as the invention.

Pending claims 11, 14-19 have been amended to cure the § 112 deficiencies noted by the examiner. Specifically, each of the terms noted by the examiner have been addressed in the re-presentation of these claims. For example, the motor vehicle longitudinal axis is defined as extending fore and aft relative to the motor vehicle; the evaporator longitudinal axis as "extending principally upward" relative to the vehicle; and the heat exchanger longitudinal axis as "extending principally laterally" relative to the motor vehicle; the evaporator as being "generally" vertically arranged and the heating heat exchanger as being "generally" horizontally arranged. Additionally, references to "left", "right", "width", "z-y plane" and other ambiguities have been eliminated. Accordingly, it is believed that the rejections under § 112 are no longer warranted and should be withdrawn.

*Claim Rejections - 35 U.S.C. §103(a)*

Claims 11 and 14-19 were rejected under 35 U.S.C. § 103(a) as being obvious over the combined teachings of JP 11-198642 and JP 10-29420. Applicant respectfully traverses this rejection.

JP '420 is deficient in that the evaporator does not include a front face that is oriented so as to face in a direction that is lateral to the longitudinal axis of the vehicle. As specifically recited in the English language abstract, the evaporator 3 makes the air from the fan flow rearward from the front of the car. In claim 11 of the present application, the front face of the evaporator faces transverse to the longitudinal axis of the vehicle, therefore air does not flow from front of the vehicle to the rear of the vehicle, rather it flows transversely therethrough.

Like JP '420, JP '642 also lacks a front face that faces in a direction that is lateral to the longitudinal axis of the vehicle.

In that both references lack the noted limitation, the combination of references also lacks the limitation. For these reasons, the claims are allowable over the combination.

Claims 14-21 are dependent on claim 11 and, at least for the same reasons given in support of claim 11, these claims are likewise allowable. Such action is respectfully requested.

*Conclusion*

In view of the above amendments and remarks, it is respectfully submitted that the present form of the claims are patentably distinguishable over the art of

record and that this application is now in condition for allowance. Such action is requested.

Respectfully submitted,

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Attachment: None